

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 695

Introduced by Assembly Member Norby

February 17, 2011

An act to amend Section 27803 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL’S DIGEST

AB 695, as amended, Norby. Vehicles: motorcycles: safety helmets: exceptions.

Existing law requires a driver and a passenger to wear a safety helmet meeting certain requirements when riding on a motorcycle, motor-driven cycle, or motorized bicycle.

This bill would exempt from this requirement a ~~driver~~ *person* who is ~~18~~ *21* years of age or older who has either completed a motorcyclist safety training program; or has been authorized to operate a vehicle pursuant to a valid class M1 license or endorsement, or a comparable license from another jurisdiction, for ~~2 years~~ or more *years*.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 27803 of the Vehicle Code is amended
- 2 to read:
- 3 27803. (a) Except as provided in subdivision (g), a driver and
- 4 a passenger shall wear a safety helmet meeting requirements

1 established pursuant to Section 27802 when riding on a motorcycle,
2 motor-driven cycle, or motorized bicycle.

3 (b) It is unlawful to operate a motorcycle, motor-driven cycle,
4 or motorized bicycle if the driver or a passenger is not wearing a
5 safety helmet as required by subdivision (a).

6 (c) It is unlawful to ride as a passenger on a motorcycle,
7 motor-driven cycle, or motorized bicycle if the driver or a
8 passenger is not wearing a safety helmet as required by subdivision
9 (a).

10 (d) This section applies to a person who is riding on a
11 motorcycle, motor-driven cycle, or motorized bicycle operated on
12 the highways.

13 (e) For the purposes of this section, “wear a safety helmet” or
14 “wearing a safety helmet” means having a safety helmet meeting
15 the requirements of Section 27802 on the person’s head that is
16 fastened with the helmet straps and that is of a size that fits the
17 wearing person’s head securely without excessive lateral or vertical
18 movement.

19 (f) This section does not apply to a person operating, or riding
20 as a passenger in, a fully enclosed three-wheeled motor vehicle
21 that is not less than seven feet in length and not less than four feet
22 in width, and has an unladen weight of 900 pounds or more, if the
23 vehicle meets or exceeds all of the requirements of this code, the
24 Federal Motor Vehicle Safety Standards, and the rules and
25 regulations adopted by the United States Department of
26 Transportation and the National Highway Traffic Safety
27 Administration.

28 (g) This section does not apply to a ~~driver~~ *person* who is ~~18~~ *21*
29 years of age or older and meets either of the following
30 requirements:

31 (1) Has completed a motorcyclist safety training program that
32 complies with Section 2932.

33 (2) Has been authorized to operate a vehicle pursuant to a valid
34 class M1 license or endorsement, or a comparable license from
35 another jurisdiction, for ~~two years~~ or more *years*.

36 (h) In enacting this section, it is the intent of the Legislature to
37 ensure that all persons are provided with an additional safety

- 1 benefit while operating or riding a motorcycle, motor-driven cycle,
- 2 or motorized bicycle.

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